

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 31-February 1, 2007

Reference No.: 2.6e.(2)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Ross A. Chittenden
Division Chief
Transportation Programming

Subject: **ALLOCATIONS FOR TRAFFIC CONGESTION RELIEF PROGRAM PROJECTS**
RESOLUTION TFP-06-29

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve the following allocation requests totaling \$317,926,000 in new Traffic Congestion Relief Program (TCRP) funding to reimburse previously approved AB 1335 Letters of No Prejudice (LONP) for two projects, as identified on the attached vote list and below.

ISSUE:

Under Resolution TL-05-04 (approved in December 2005), the Santa Clara Valley Transportation Authority (SCVTA) received approval of a LONP authorizing the expenditure of \$170,000,000 to complete preliminary Plans, Specifications, and Estimates (PS&E) for TCRP Project #1.2 – BART to San Jose Extension– Warm Springs to San Jose. The SCVTA has expended \$151,012,000 to complete the preliminary PS&E and is requesting that the LONP be reimbursed for that amount at this time. A concurrent allocation request for SCVTA to complete PS&E to 65 percent is under 2.6e.(3).

Under Resolution TL-05-02 (approved in May 2005), the Los Angeles County Metropolitan Transportation Authority (LACMTA) received approval of a LONP authorizing the expenditure of \$166,914,000 for construction of TCRP Project #36 – Los Angeles Eastside Transit Extension. While the allocation request is a non-proportional reimbursement, LACMTA is requesting that the LONP be reimbursed in full at this time. LACMTA has not completed construction, which will be complete in July 2010, but has expended over \$384,000,000 in eligible expenses. Although TCRP funds provide about 23 percent of the total construction budget, this reimbursement of \$166,914,000 will equal approximately 43 percent of the total construction expenditures to date.

The Revised Traffic Congestion Relief Program Guidelines, Resolution G-06-04, adopted on April 26, 2006, permits reimbursement of LONPs on an equitable basis that serves the interest of the entire State transportation program, including, but not limited to, the impact of such allocations for other transportation projects. These requests for reimbursement are in accordance with the Revised TCRP Guidelines.

FINANCIAL RESOLUTION:

Resolved That:

The project(s), as component phases or in their entirety, appear under Government Code Section 14556.40(a) and are entitled to participate in this allocation amendment.

Reimbursement of eligible costs is subject to the policies, restrictions and assurances as set forth in the Commission's policy for allocating, monitoring, and auditing TCRP projects, and is governed by the terms and conditions of the Fund Transfer Agreement, Program Supplement or Cooperative Agreement, and subsequent amendments to the same if required, as executed between the Implementing Agency and the Department.

Attachment

2.6 Mass Transportation Financial Matters

Project # Allocation Amount Implementing Agency District-County	BREF # and Project Description Description of Allocation	Item # Program Code	Total Allocation Amount
2.6e.(2) Traffic Congestion Relief Program AB 1335 LONP Reimbursement		Resolution TFP-06-29	
1 \$151,012,000 Santa Clara Valley Transportation Authority 04 – San Jose	<p>Project #1.2 – BART to San Jose; extend BART from Fremont to Downtown San Jose in Santa Clara and Alameda Counties – Warm Springs to San Jose.</p> <p>The overall project involves extending BART from the existing Fremont Station in Alameda County to downtown San Jose in Santa Clara County. Sub-project #1.2 will extend BART from the Warm Springs Station into San Jose.</p> <p>This allocation is to reimburse SCVTA for eligible expenditures from a previously approved AB 1335 Letter of No Prejudice for \$170,000,000 for Plans, Specifications, and Estimates (to 35%). (The difference of \$18,988,000 will be a direct allocation under 2.6e.(3).)</p>	Chapter 91 of the Statutes of 2000 889-3007 30.10.710.010	\$151,012,000
2 \$166,914,000 Los Angeles County Metropolitan Transportation Authority 07 – Los Angeles	<p>Project #36 – Los Angeles Eastside Transit Extension; build new light rail line in East Los Angeles, from Union Station to Atlantic via First Street to Lorena in Los Angeles County.</p> <p>The Eastside Extension project will construct a six-mile, nine station (eight new) light rail line through East Los Angeles, which will include a 1.8-mile tunnel.</p> <p>This allocation is to reimburse a previously approved AB 1335 Letter of No Prejudice for \$166,914,000 for Construction.</p>	Chapter 91 of the Statutes of 2000 889-3007 30.10.710.010	\$166,914,000